

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

TYREN ALI, : Civil No. 14-7723 (NLH)
Petitioner : Crim. No. 11-752 (NLH)

v. :

UNITED STATES OF AMERICA, : ORDER
Respondent :

The petitioner, Tyren Ali, having filed a Motion under 28 U.S.C. § 2255 to vacate, set aside or correct sentence (the "Motion"), and the petitioner having alleged ineffective assistance of counsel on the part of both of his previous attorneys in his underlying criminal case – his trial attorney (Crim. No. 11-752 (NHL)) and his appellate attorney (App. No. 12-2870); and the United States having determined that it is necessary to confer with petitioner's previous counsel in order to properly respond to the allegations raised; and the United States seeking sufficient additional time to confer with defense counsel, to allow defense counsel to review and execute any affidavits that must be submitted in response to the Motion, and for the United States seeking additional sufficient and reasonable time to prepare a response to Petitioner's claims; and for good cause shown;

IT IS THE FINDING OF THIS COURT that by alleging in the Motion that the petitioner received ineffective assistance of counsel, the petitioner knowingly and voluntarily waived the attorney-client privilege with regard to each claim of ineffective assistance of counsel.

IT IS THEREFORE ORDERED on this 16th day of February, 2016, that

1. The Government may interview and confer with Petitioner's previous attorneys regarding the claims of ineffective assistance of counsel raised in the Motion;
2. Previous defense counsel shall give testimony, including testimony concerning the claims of ineffective assistance of counsel raised in the Motion, if the Court orders a Hearing on the Motion;
3. The Respondent shall file an answer to the Petitioner's Motion on or before April 18, 2016.

s/ Noel L. Hillman

HONORABLE NOEL L. HILLMAN
UNITED STATES DISTRICT JUDGE